



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

It is not true, however, that the whole book is false. The greater part of it probably is sound, and some important statements of law for which there is no other direct authority are no doubt true. But it would require more labor to separate true from false than the result would be worth. With most of the old rolls and the Year Books for the whole reign of Richard II. yet to be published, students of legal history can devote their time to more profitable studies than that of the *Mirror*.

Professor Maitland gives much space to a consideration of the authorship of the treatise, and is inclined on the whole to acquit Andrew Horn, though not without grave doubt. His conjecture is that some young man, at a time when a great judicial scandal had just come to light, wrote this as a serio-comic attack on judges in general, and laughed in his sleeve at the result. "We guess that he wanted his readers to believe some things that he said. We can hardly suppose him hoping that they would believe all. We feel sure that in Paradise, or wherever else he may be, he was pleasantly surprised when Coke repeated his fictions as gospel truth, and erudite men spoke of him in the same breath with Glanvill and Bracton. That is just what he wished."

One more guess will do no harm; and though not so diverting as this, and more commonplace, it is at least possible. The great unevenness of the book is apparent; part is true, part is grossly false. Professor Maitland points out also the contradiction between different passages. Now the author writes as a cleric, now as a layman; now as a supporter of the King, now of the nobles; now as a Londoner, now as one opposed to the franchises of the city. May it not be that some young man of more zeal than knowledge got together from all possible sources such scraps of law as he could, and pieced them together? We may assume that such a youth had two or three notions, held with all the tenacity of ignorance, which appear as the two or three "leading motives" of the book. At this time, during the prosecution of the judges, all sorts of stories were of course flying about, such as nowadays would get into the newspapers; and the singular notions of law now often found among intelligent laymen must have been more common and more singular. These stories and notions would be grist for our young man's mill.

Whether we insist on our own guess or not, we must all agree that Professor Maitland's Introduction is a gem,—as perfect in its way as his Introduction to Bracton's Note Book, and its way is most diverting. One reader, at least, thinks the want of value in the *Mirror* itself much more than compensated by the clever comments to which it has given rise. We could better spare a much better book than the *Mirror* with this bright appurtenance.

J. H. B.

---

THE CONSTITUTION OF THE UNITED STATES AT THE END OF THE FIRST CENTURY. By George S. Boutwell. Boston, U. S. A.: D. C. Heath & Co. 1895. pp. xviii, 412. Small 8vo. cloth, \$3.50.

"An examination of the authorities," says Governor Boutwell, "justifies and renders unavoidable the conclusion that the Constitution of the United States in its principles and in its main features is no longer the subject of controversy, of debate, or of doubt." "This is the only book," say his publishers in their accompanying circular, "in which the line between State sovereignty and the national supremacy of the government is marked distinctly." These two quotations show better the tone

of the work than more extended criticism could. The contents consist of three parts. The first third of the book contains annotated texts from the Declaration of Independence through to a thoroughly indexed text of the Constitution, with the references to decisions inserted immediately after each clause. Next follows a short essay on the "Origin and Progress of Independence," the general texts for which are perhaps found in the statements on page 148, that "for one hundred and thirty years" up to 1763 "the supremacy of Parliament had been denied whenever the claim was presented," and on page 149, that in this state of affairs "the only ground of hope was in negotiation, and that appears not to have been thought of" by England. Then a digest of decisions and comment completes the book. It is printed in the ordinary type of the text, instead of in the irritatingly fine print usually found in digests. It is also very conveniently arranged for reference under the Articles and clauses of the Constitution and other texts. This should make the book of service in hasty search for decisions upon special phrases of the Constitution.

R. W. H.

THE RELIGION OF THE REPUBLIC AND LAWS OF RELIGIOUS CORPORATIONS. By Alpha J. Kynett, D.D., LL.D. Cincinnati: Cranston & Curtis. New York: Hunt & Eaton. 1895. 8vo, pp. xxiii, 852.

The first part of the book is contributed directly by the author, and deals principally with the "American Civil Structure" and "Religion in the Republic." One might complain of the tendency in places to pulpit rhetoric in the treatment of these topics. At times, too, the discussion is marked by defects characteristic of most attempts to deal with large subjects in outline. One fails, for instance, from the summary of the colonial history of Virginia (page 32) to grasp the author's idea of the character of the Virginian colonists. This portion of the book is, however, an interesting contribution toward solving the somewhat perplexing relation of church and religion to our political forms of government. As a matter of law, exception may be taken to the inadequate definition of corporation (page 110) as "a creature of law having certain of the rights, powers, and duties of a natural person"; and according to the index, there is no allusion to the question of the enforceability of voluntary subscriptions for religious purposes. A collection of statutes—of every State—dealing with religious corporations forms the second part of the book, and has been prepared by the author's legal assistants. It is of value to all who have to do with church property. The work is carefully revised from the edition of 1886, and brought thoroughly up to date. Notes of judicial decisions interpreting the statutes are given wherever it is possible.

E. R. C.

THE AMERICAN DIGEST. ANNUAL. 1895. (Sept. 1, 1894, to Aug. 31, 1895). Prepared by the Editorial Staff of the National Reporter System. St. Paul, Minn.: West Publishing Co. 1895.

All the American cases of the past year are included in this volume, and they are some twenty thousand in number. The work is admirably indexed, and has the good quality of being a little less bulky than some of its predecessors, while accomplishing equally good results.

R. G. D.